

HOUSE BILL 381  
By Hargrove

AN ACT to amend Tennessee Code Annotated, Title 37,  
Chapter 2, Part 4, relative to foster care and to enact  
the "Foster Parent Rights Act".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The title of this act is, and may be cited as the "Foster Parent Rights Act".

SECTION 2. Any foster parent in the state of Tennessee shall have the following rights:

- (1) The right to be treated with dignity, respect, trust and consideration as a team member who is making an important contribution to the agency's objectives.
- (2) The right to a clear understanding of the role of a foster parent, the role of the agency and the role of the members of the child's birth family in respect to the child in foster care.
- (3) The right to continuation of their own family values and routines, thus acknowledging the ebb and flow of family life and its normalizing benefits to the child in foster care.
- (4) The right to training and support in efforts to improve skills in providing day-to-day care and meeting the special needs of the child in foster care.
- (5) The right for the foster family to be considered first when issues of health and/or safety occur.
- (6) The right to know how to contact the state agency and receive help, twenty-four (24) hours a day, seven (7) days a week.

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(7) The right to timely, adequate financial reimbursement for the quality and knowledgeable care of a child in foster care, as specified in the service plan.

(8) The right to be provided a clear written understanding of a placement agency's plan concerning the placement of a child in the foster parent's home. Inherent in this right is the foster parent's responsibility to support activities that will promote the child's right to relationships with such child's own family and cultural heritage, if so outlined.

(9) The right, prior to placement, to review written information on the child to assist in determining if this would be a proper placement for the prospective foster family.

(10) The right to say "no" to a placement or to have a child moved when absolutely necessary, without reprisal, unless a specific agreement with the state agency exists which indicates otherwise.

(11) The right to be notified of scheduled meetings and staffing concerning the foster child in order to actively participate in the case planning and decision-making process regarding the child in foster care, including individual service planning meetings, foster care reviews, and individual educational planning meetings.

(12) The right to be informed of decisions made by the courts or the child welfare agency concerning the child; the right to provide input concerning the plan of services for the child and to have that input given full consideration in the same manner as information presented by any other professional on the team; the right to communicate with other professionals who work with the foster child within the context of the team, including therapists, physicians and teachers.

(13) The right to be provided all pertinent confidential information regarding the child and the child's family background and health history, in a timely manner and to

receive additional or necessary information, that is relevant to the care of the child, on an ongoing basis.

(14) The right to reasonable written notification of changes in the case plan or termination of the placement and the reasons for the changes or termination of placement.

(15) The right to be notified in a timely and complete manner of all court hearings, including notice of the date and time of the court hearing, the name of the judge or hearing officer hearing the case, the location of the hearing, and the court docket number of the case.

(16) The right to information regarding the child's progress after a child leaves foster care.

(17) The right to the services of an advocate for support and information concerning a better understanding of the rights and responsibilities of a foster parent.

(18) The right to be considered the possible first choice permanent parents for the child, who after being in a foster parent's home for some time, becomes free for adoption or permanent foster care.

(19) The right to be considered as a placement option when a foster child who was formerly placed with the foster parent is to be re-entered into foster care, if that placement is consistent with the best interest of the child and other children in the foster parent's home.

(20) The right to ask for a "break" as needed (occasionally circumstances call for a temporary placement-free period for vacations, dealing with family problems, temporary relief from caring for a difficult child, etc.) with follow-up contacts by the agency a minimum of every two (2) months.

(21) The right to be provided a fair, timely, and impartial investigation of complaints concerning the foster parent's approval, to be provided the opportunity to

have a person of the foster parent's choosing present during the investigation, and be provided due process during the investigation; the right to be provided the opportunity to request and receive mediation or an administrative review of decisions that affect approval parameters, or both mediation and an administrative review; and the right to have decisions concerning an approval corrective action plan specifically explained and tried to the approval standard violated.

(22) The right to receive a copy of all information placed in the personal foster home record by state agency staff immediately.

(23) The right to open, timely access to a foster parent's personal foster home record to review it whenever a foster parent feels the need.

(24) The right to file a grievance if any of the above rights have been violated or denied.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.